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Clifford Chance Rogers & Wells LLP

Docket No. 5677/142
(Div. of 5677/89)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional Application of: Leo J. Romanczyk, Jr. et al.

Serial No. : 09/717,445 Group Art Unit : 1651
Filed : 11/21/00 Examiner : C. Tate
For : FOODS CONTAINING A COCOA POLYPHENOL ADDITIVE

Commissioner for Patents
Washington, D.C. 20231

AMENDMENT

Sirs:

This is submitted in response to the Office Action mailed August 6, 2002. A response was due November 6, 2002. A Petition for a Three-Month Extension of Time to February 6, 2003 is enclosed.

Claims 44-56 and 58-59 are presented for examination on the merits.

The finality of the Restriction Requirement is acknowledged.

Please substitute the enclosed specification, which is a true copy of the specification filed in grandparent application Ser. No. 08/317,266 filed October 3, 1994 for the incomplete specification filed with this application on November 21, 2000. No new matter is presented in the substitute specification.